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CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	Magistrate Docket No. '07 MJ 2272
Plaintiff,	
	COMPLAINT FOR VIOLATION OF:
v.	
	Title 8, U.S.C., Section 1326
Federico SANCHEZ-Betancourt,	Deported Alien Found in the
	United States
Defendant	

The undersigned complainant, being duly sworn, states:

On or about **September 18, 2007** within the Southern District of California, defendant, **Federico SANCHEZ-Betancourt,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 20th DAY OF **SEPTEMBER, 2007**

Jan M. Adler
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Federico SANCHEZ-Betancourt

PROBABLE CAUSE STATEMENT

On September 18, 2007, Border Patrol Agent A. Palacios responded to a citizen's report of a vehicle that had just picked up a group of possible undocumented aliens on Howling Mountain Road. This area is approximately eighteen miles east of the Tecate, California Port of Entry and approximately four miles north of the United States/Mexico International Boundary. Upon arrival in the area Agent Palacios observed a green sports utility vehicle driving north bound on Howling Mountain Road. As Agent Palacios approached the vehicle, the vehicle drove in reverse and stopped. Agent Palacios approached the vehicle and observed several individuals attempting to conceal themselves in the rear of the vehicle. Agent Palacios identified himself as a Border Patrol Agent and questioned all the individuals in the vehicle as to their citizenship. The driver of the vehicle admitted to being a citizen of the United States, the rest of the individuals, including one later identified as the defendant admitted to being citizens and nationals of Mexico without having proper immigration documents allowing them to be or remain in the United States legally. All the individuals in the vehicle were arrested and transported to the Campo Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **October 21, 2003** through **Paseo Del Norte, Texas.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Rights, which he stated he understood and was willing to answer questions without having an attorney present. The defendant again stated that he is a citizen and national of Mexico who entered the United States not in possession of the proper documentation to be or remain legally. The defendant stated that he knew that he crossed the border illegally by jumping the fence.